

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

JUAN JOHNSON,)	
)	
Plaintiff,)	05 C 1042
)	
v.)	Judge Grady
)	
REYNALDO GUEVARA, and the)	
CITY OF CHICAGO,)	
)	
Defendants.)	

PLAINTIFF'S MOTION IN LIMINE NO. 3
TO BAR ALL REFERENCES TO PLAINTIFF'S 1988 DRUG ARREST

NOW COMES Plaintiff, JUAN JOHNSON, by his counsel, and respectfully brings the following motion *in limine*.

Discussion

Aside from the wrongful murder conviction at issue in this case, Plaintiff was also involved in a drug case arising from a 1987 arrest for possession of marijuana when he was a minor, at age 17. There was no conviction. The case resulted in a "710 misdemeanor plea."¹ Probation was terminated satisfactorily, and Mr. Johnson's criminal history report from "LEADS" shows no conviction for this arrest. See Exhibit B.

That case is not admissible at this trial. There is no conviction, it is not a felony, it is too old to qualify under Rule 609, and it is not otherwise admissible. References should be barred.

¹ 720 ILCS 550/10, formerly § 710, provides that such a disposition "is not a conviction." See Exhibit A.

WHEREFORE, Defendants should be barred from referencing Plaintiff's prior drug case.

RESPECTFULLY SUBMITTED,



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